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United States District Court  
STATE AND DISTRICT OF MINNESOTA

APR 05 2010

CLERK, U.S. DISTRICT COURT  
ST. PAUL, MINNESOTA

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

Case Number:

10mj120 AJB

V.

(01) ANDREW JAMES LARSON  
(02) DEREK WILLIAM LOMBARD

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 2, 2010 in Ramsey county, in the State and District of Minnesota defendants did, each aiding and abetting the other, by force, violence and intimidation, knowingly and intentionally take from the person and presence of a victim tellers approximately \$13,709, which money belonged to and was in the care, custody, control, management, and possession of TCF Bank, located at 2989 White Bear Avenue, in Maplewood, Minnesota, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation (FDIC),

in violation of Title 18 United States Code, Sections 2 and 2113(a).

I further state that I am a Special Agent and that this complaint is based on the following facts:

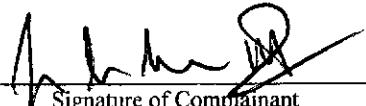
SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

April 5, 2010  
Date  
The Honorable Arthur J. Boylan  
UNITED STATES MAGISTRATE JUDGE

Name &amp; Title of Judicial Officer

  
Signature of Complainant  
JOSEPH L. MALHOIT, III  
FBI

at

St. Paul, MN  
City and State

  
Signature of Judicial Officer

SCANNED

APR 05 2010

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA     )  
                              )     ss.   **AFFIDAVIT OF JOSEPH L. MALHOIT, III**  
COUNTY OF RAMSEY        )

I, Joseph L. Malhoit, III, being first duly sworn under oath, depose and state as follows:

1. I am employed as a Special Agent ("SA") with the Federal Bureau of Investigation, and have been so employed since 1997. I am a member of the Violent Crimes and Major Offender Squad, with duties that include investigating violent crime, to include bank robberies, gangs, firearms violations and narcotics violations. In the past, I have worked on numerous investigations of various types of criminal activity including bank robberies, gangs, narcotics, and white collar crime, resulting in the arrests and convictions

2. This affidavit is based on my training, experience, personal knowledge and observations in this investigation; based upon discussions with other law enforcement officers and agents directly involved in this investigation; and upon review of official reports submitted in relation to this investigation. Further, this affidavit contains information to support probable cause but is not intended to convey a complete set of facts for the entire investigation.

3. On 04/02/2010, at approximately 2:30 PM, the TCF Bank branch located at 2989 White Bear Avenue, Maplewood, Minnesota was robbed. During this bank robbery, Andrew James LARSON, and Derek William LOMBARD, drove into the bank parking lot in a stolen Dodge Charger. LARSON and LOMBARD entered the bank and the customers

were told to get down. During this robbery, one of the bank robbers was holding what appeared to be a handgun. It was later determined that a toy handgun was most likely used during this robbery. LARSON and LOMBARD jumped the counter, opened multiple tellers drawers and took a large amount of cash. LARSON and LOMABARD then ran out of the bank and sped away in the stolen Dodge Charger. A short time later, LARSON and LOMBARD pulled into a nearby parking lot and exited from the stolen Dodge Charger and transferred into LARSON's pre-positioned maroon Oldsmobile.

4. After this bank robbery, officers from the Maplewood Police Department searched the area. A Maplewood Police officer was driving near the TCF Bank when he observed a maroon Oldsmobile occupied by two white males. The passenger had his seat in what appeared to be a laying down position and he appeared to be changing clothes. It also appeared that the driver may have been attempting to change his clothes. This Maplewood Police officer turned his car around and pulled alongside the vehicle in question. In response, the maroon Oldsmobile sped away and a vehicle pursuit ensued. The maroon Oldsmobile ended up crashing on Highway 694. The Maplewood Police officer observed the two occupants exit the passenger window of the maroon Oldsmobile and flee on foot. During the ensuing foot pursuit, LOMBARD was caught by police officers. An officer was required to use his Taser on LOMBARD. LOMBARD then became compliant. However, when one on the police officers left to

pursue the other suspect, LOMBARD began to fight with the remaining officer and attempted to get both his Tazer and his handgun. After fighting with the officer, LOMBARD continued to flea on foot from the officer. While he was fleeing, LOMBARD approached a citizen sitting in a van. LOMBARD opened the drivers door and told the citizen to get out of the van. The citizen refused and LOMBARD grabbed him around the neck and pulled him out of the van. Both LOMBARD and the citizen fell to the ground just outside the van. At this point, a police officer arrived and LOMBARD got up and continued to run away. At this point, multiple police officers continued to chase LOMBARD. One of the officers eventually bumped LOMBARD with his car which caused LOMBARD to fall to the ground. However, once again, LOMBARD got up off the ground and continued to run. Eventually, another police officer used his Tazer on LOMBARD and was able to apprehend him. LOMBARD was subsequently transported to Regions Hospital after he began to hyperventilate.

5. After fleeing from the crashed maroon Oldsmobile, LARSON fled on foot and hid in the outside product area of a nearby Fleet Farm store. A Minnesota State Patrol helicopter, was able to guide police officers on the ground to where LARSON was hiding in the outside product yard of the Fleet Farm store. LARSON was eventually taken into custody by the responding police officers.

6. Shortly after LARSON was transported to the Maplewood Police Department, SA Joseph Malhoit and Detective Jerrold Martin, from the Maplewood Police Department, interviewed LARSON. Before this interview began SA Malhoit read LARSON the FBI Advice of Rights form. LARSON signed this form and agreed to talk with SA Malhoit and Detective Martin. During this interview, LARSON talked about how he recently met LOMBARD and how they planned to rob a bank. LARSON indicated that he had a large gambling debt that he could not pay. LARSON described how LOMBARD showed up at his house today with the Dodge Charger. LARSON stated that he had never seen the Dodge Charger before today. LARSON drove his maroon Oldsmobile Aurora and LOMBARD drove the Dodge Charger from Eau Claire, Wisconsin, to Maplewood, Minnesota. LOMBARD was looking for a real gun to use during the robbery, however, LARSON suggested that they use a fake one instead. LOMBARD and LARSON went to the K-Mart near the bank they robbed and LOMBARD got an AirSoft pistol. LARSON believed that LOMBARD shoplifted this pistol. LOMBARD and LARSON then drove to a nearby townhouse complex and left the maroon Oldsmobile Aurora and both got into the Dodge Charger. LOMBARD drove to the TCF Bank in the Dodge Charger and they robbed the bank. LOMBARD had the AirSoft pistol and told people to get on the ground. LARSON was wearing a neck covering and a stocking cap to hide his identity. LOMBARD and LARSON both jumped the counter and emptied the teller drawers. The stolen money was put into a

military hygiene bag. LOMBARD and LARSON then fled in the Dodge Charger. While they were fleeing from the bank, a dye pack exploded in the car. LOMBARD and LARSON drove to the townhouse complex and switched back into the maroon Oldsmobile Aurora and attempted to leave the area. A police car began following them and LOMBARD panicked and crashed the car while attempting to flee.

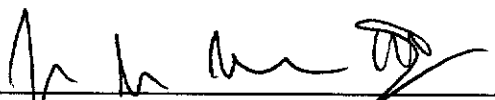
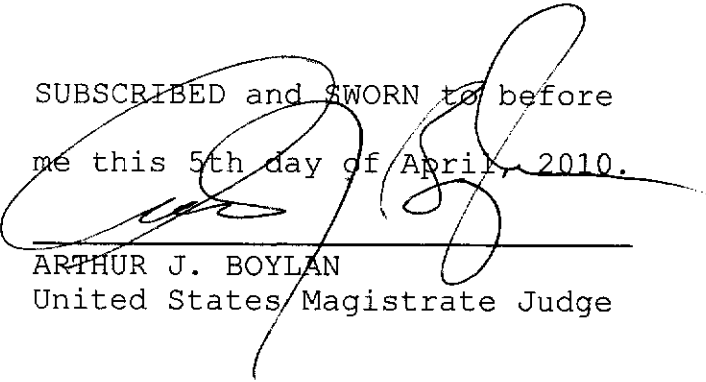
7. The Maplewood Police Department executed search warrants on the 2006 Yellow / Black Dodge Charger and the 1999 Maroon Oldsmobile Aurora, used during the bank robbery. Inside the Dodge Charger, the officers recovered an exploded dye pack located under the front passenger seat. There was also a large amount of dye sprayed on the inside of the front passenger door. During the search of the maroon Oldsmobile Aurora, the officers recovered the following items: a Black mens coat; a key to the Dodge Charger; a Military ID, a State of Wisconsin ID and credit cards all in the name of Andrew J. LARSON; a small camo hand bag containing dye and dye covered cash (\$82.00); a wallet with several ID cards in the name of Derek W. LOMBARD; blister packaging for a HK P30 AirSoft pistol; a large camo backpack with a large quantity of cash, six TCF gift cards and a HK P30 AirSoft pistol in it.

8. At the time of the robbery, the deposits of the TCF Bank branch located at 2989 White Bear Ave., Maplewood, Minnesota were insured by the Federal Deposit Insurance Corporation (FDIC) (FDIC number is 28330). Additionally, an audit of the teller drawers at

the TCF bank was conducted following the robbery and it was determined that the loss amount to TCF Bank was approximately \$13,709.00.

9. Based upon the facts conveyed in this affidavit, your Affiant believes there is probable cause that Andrew James LARSON and Derek William LOMBARD committed this bank robbery, in violation of Title 18, United States Code, Section 2113 (a).

Further your Affiant sayeth not.

  
\_\_\_\_\_  
JOSEPH L. MALHOIT, III  
FBI Special Agent  
\_\_\_\_\_  
SUBSCRIBED and SWORN to before  
me this 5th day of April, 2010.

ARTHUR J. BOYLAN  
United States Magistrate Judge